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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

PAUL ROGERS, individually, and JANET
ROGERS, individually,

Plaintiffs,

v.

DIAMOND RESORTS INTERNATIONAL,
INC., a Delaware Corporation; DIAMOND
RESORTS U.S. COLLECTION
DEVELOPMENT, LLC, a Delaware limited
liability company; DIAMOND RESORTS
U.S. COLLECTION MEMBERS
ASSOCIATION, a Delaware corporation;
DIAMOND RESORTS MANAGEMENT,
INC., an Arizona Corporation; and
DIAMOND RESORTS FINANCIAL
SERVICES, INC., a Nevada Corporation,

Defendants.

2:18-cv-00903-RFB-GWF

**STIPULATION AND [PROPOSED]
ORDER TO STAY ALL PROCEEDINGS
PENDING BINDING ARBITRATION
PURSUANT TO 9 U.S.C. § 3**

COMES NOW the Parties, Paul Rogers and Janet Rogers (collectively “Plaintiffs”), and
Diamond Resorts International, Inc. (“DRI”), Diamond Resorts U.S. Collection Development,
LLC (“DRUSC”), Diamond Resorts U.S. Collection Members Association (“DRUSCMA”),
Diamond Resorts Management, Inc. (“DRM”), and Diamond Resorts Financial Services, Inc.
(“DRFS”) (DRI, DRUSC, DRUSCMA, DRM and DRFS are collectively referred to herein as
“Defendants”) by and through their respective counsel of record, and hereby submit the
following Stipulation and [Proposed] Order to Stay Proceedings Pending Binding Arbitration

pursuant to 9 U.S.C. § 3 as follows:

RECITALS

WHEREAS, Plaintiffs filed a Complaint in the Eighth Judicial District Court, Clark County, Nevada, on April 23, 2018 against Defendants;

WHEREAS, Defendants removed the case to this Court on May 18, 2018;

WHEREAS, Plaintiffs' claims arise from their purchase of a certain timeshare interests from DRUSC;

WHEREAS, each purchase agreement contains a provision whereby all disputes must be submitted to binding arbitration administered by the American Arbitration Association, pursuant to the American Arbitration Association Commercial Rules ("AAA Arbitration");

WHEREAS, Plaintiffs agree that all of their claims are subject to the AAA Arbitration provision;

WHEREAS, the parties' will jointly submit this matter to AAA Arbitration within ten (10) days;

WHEREAS, the parties agree that proceedings in this Court shall be stayed pending the completion of arbitration. The Parties further agree that this Court shall retain jurisdiction to confirm the arbitration award, if any, and to enter judgment, if any, for purposes of enforcement.

STIPULATION

Plaintiffs and Defendants, by and through their attorneys of record, hereby stipulate as follows:

1. All claims asserted in Plaintiffs' Complaint will be resolved through AAA Arbitration;
2. The Parties will jointly submit this matter for AAA Arbitration within ten (10) days;
3. All proceedings in this Court shall be stayed to allow the completion of the AAA Arbitration; and
4. This Court shall retain jurisdiction to confirm the award, if any, and to enter judgment, if any, for purposes of enforcement.

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1 **IT IS SO STIPULATED.**

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3 Dated this 8th day of June, 2018.

**ALBRIGHT, STODDARD,
WARNICK & ALBRIGHT**

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5 By: /s/ G. Mark Albright, Esq.

6 G. Mark Albright, Esq.
7 Nevada Bar No. 1394
8 801 S. Rancho Dr., Ste. D-4
9 Las Vegas, NV 89106
10 Attorneys for Plaintiffs

11 Dated this 8th day of June, 2018.

GREENSPOON MARDER LLP

12 By: /s/ Phillip A. Silvestri, Esq.

13 PHILLIP A SILVESTRI, ESQ.
14 Nevada Bar No. 11276
15 3993 Howard Hughes Pkwy, Suite 400
16 Las Vegas, Nevada 89169
17 Attorneys for Defendants

ORDER

1. The stipulation of the parties to submit this matter to arbitration is **GRANTED**;
2. All pending deadlines and hearings are vacated;
3. This matter is **STAYED**, pursuant to 9 U.S.C. § 3, to allow completion of the AAA Arbitration; and
4. Every 120 days, and no later than 30 day after the issuance of the arbitrator's decision, counsel **SHALL** file a joint status report; and
5. The Court retains jurisdiction to confirm the arbitration award and enter judgment for purposes of enforcement.

IT IS SO ORDERED.

Dated: June 13, 2018.



RICHARD F. BOULWARE, II
United States District Court